

PERSONAL CARE AGENCY CLIENT RIGHTS

Clients of a state-approved personal care agency (PCA) have the right to be informed of and to exercise rights specified in state regulations. If a PCA client has been judged incompetent, the client's family or guardian may exercise those rights on the client's behalf.

Prior to or at the time of accepting a person as a client, a personal care agency shall provide a statement of client rights, in writing, to each client/potential client or his/her representative. The client or the client's legal representative shall verify by signature that they have received a copy of these rights. A duplicate of this signed client rights document shall be filed with the client's care records.

The personal care agency must investigate complaints that you or your family or your guardian make regarding your treatment and respect for your rights by anyone furnishing services on behalf of the PCA. The PCA must document such complaints and how they are resolved.

As a personal care agency client, you have the right to:

1. Be fully informed of these rights and all of the provider's rules governing client responsibilities.
2. Be fully informed of services available from the provider.
3. Be informed of all changes in services and charges as they occur.

Note: For clients who are Medicaid recipients, personal care services are not subject to recipient cost sharing, per s. 49.45(18)(b) 11, Wis. Stats., and the provider is prohibited from charging the recipient for services in addition to or in lieu of obtaining Medicaid payment, per s. 49.49(3m), Wis. Stats.

4. Participate in the planning of services, including referral to a health care institution or other provider and to refuse to participate in experimental research.
5. Have access to information about your health condition to the extent required by law.

Note: Section 146.83, Wis. Stats., and federal HIPAA regulations (45 CFR s. 164.524) generally require health care providers to make health care records available for inspection by the patient.

6. Refuse service and to be informed of the consequences of that refusal.
7. Confidential treatment of personal and medical records and to approve or refuse their release to any individual outside the provider, except in the case of transfer to another provider or health facility or as otherwise permitted by law.
8. Be treated with consideration, respect, and full recognition of dignity and individuality, including privacy in treatment and in care for personal needs.
9. Be taught the service required so that you can, to the extent possible, help yourself.
10. Designate a person to be taught the service required so that, to the extent possible, the person designated can understand and help you.
11. Have your property treated with respect.
12. Complain about the care that was provided or not provided and seek resolution of the complaint without fear of recrimination.
13. Have your family or legal representative exercise your client's rights when the legal representative is legally authorized to do so.

Complaints about treatment or care can be submitted by:

1. Calling or writing: Division of Quality Assurance / Bureau of Health Services
P. O. Box 2969
Madison, WI 53701-2969
(800) 642-6552 or (608) 266-8481
2. Calling or writing: The Personal Care Agency
3. Using: Wis. Online Complaint Intake System: <http://www.dhs.wisconsin.gov/bqaconsumer/healthcarecomplaints.htm>

SIGNATURE – Client or Representative

Name – Client or Representative (Printed)

Date Signed